

AMENDED IN ASSEMBLY APRIL 10, 2012

AMENDED IN ASSEMBLY MARCH 19, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1518

Introduced by Assembly Member Perea
(Coauthors: Assembly Members Conway, Gordon, and Morrell)
(Coauthor: Senator La Malfa)

January 17, 2012

An act to add Section 12737 to the Business and Professions Code, relating to weighmasters.

LEGISLATIVE COUNSEL'S DIGEST

AB 1518, as amended, Perea. Weighmasters: automated weighing systems.

Existing law provides for the licensure of weighmasters who weigh, measure, or count any commodity and issue a statement or memorandum that is used as the basis for either the purchase or sale of that commodity. Existing law requires that a weighmaster issue a signed weighmaster certificate whenever payment for the commodity is dependent on a written or printed weight, measure, or count. *Under existing law, the Secretary of Food and Agriculture may adopt rules and regulations that are reasonably necessary for the purpose of carrying out provisions of law related to weighmasters.*

This bill would authorize any weighmaster weighing any vehicle moving construction materials, including, but not limited to, earth, stone, rock, sand, gravel, limestone, ready mixed concrete, cementitious materials, recycled construction materials, or asphalt paving materials to use an unattended weighing system to weigh the vehicle and to issue

a weighmaster certificate to buyers who opt to utilize the unattended system, as provided. The bill would define an unattended weighing system as an automated system not directly under the supervision of a weighmaster that meets the approval, testing, and sealing requirements specified in existing law. The bill would state that it would not impact existing weighing and ticketing systems.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12737 is added to the Business and
2 Professions Code, to read:

3 12737. (a) Any weighmaster weighing any vehicle moving
4 construction materials, including, but not limited to, earth, stone,
5 rock, sand, gravel, limestone, ready mixed concrete, cementitious
6 materials, recycled construction materials, or asphalt paving
7 materials may use an unattended weighing system to weigh the
8 vehicle and to issue a weighmaster certificate to buyers who opt
9 to utilize the unattended system, *provided that the system and the*
10 *operation of the system comply with regulations or policies issued*
11 *by the secretary.* The name of the principal weighmaster and the
12 unique system identification number of the unattended weighing
13 system utilized shall be imprinted on the weighmaster certificate
14 and this shall satisfy the requirements of subdivision (c) of Section
15 12715. Nothing in this section impacts existing weighing and
16 ticketing systems.

17 (b) For purposes of this section:

18 (1) “Principal weighmaster” means the person or entity identified
19 on the weighmaster certificate, as described in subdivision (b) of
20 Section 12714, that may employ or designate any person to act for
21 the weighmaster as a deputy weighmaster pursuant to Section
22 12710.

23 (2) “Unattended weighing system” means an automated system
24 not directly under the supervision of a weighmaster that meets the
25 approval, testing, and sealing requirements of Section 12717.